

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

**SENECA RESOURCES
CORPORATION,**

Plaintiff

v.

HIGHLAND TOWNSHIP, et al.,

Defendants.

C.A. No. 16-cv-289 Erie

Magistrate Judge Susan Baxter

O R D E R

AND NOW, this 29th day of September, 2017;

IT IS HEREBY ORDERED that Plaintiff's motion for judgment on the pleadings [ECF No. 26] is GRANTED as to Counts I, II, V, VI, VII, VIII, such that §§ 103-106, 109-110, 401, 404-411, and 501 of the Highland Township Home Rule Charter are declared invalid, unenforceable, and unconstitutional.

IT IS FURTHER ORDERED that the motion for judgment on the pleadings is DENIED as to Counts as to Counts III and IX. Finally, the motion for judgment on the pleadings is DENIED as to Count IV and this Supremacy Clause challenge is dismissed.

/s/ Susan Paradise Baxter
SUSAN PARADISE BAXTER
United States Magistrate Judge